

Rule 375-5-1-.09 Location of Driver Improvement Clinic

- (1) Any clinic that wishes to offer its service other than at the principal place of business must establish a classroom at the new location.
- (2) All classrooms shall be licensed in the same manner and subject to the same qualifications as the principal office of the clinic with the exception of telephone, office, films, brochures and other printed materials. Necessary films, brochures and other printed materials shall be used in providing all courses of instruction. Only in the event that duplicate material exists as required will a clinic be authorized to provide more than one class on the same date.
- (3) Approval of the office or classroom will be determined after the inspection of said location is made by a representative of the Department and verification that the location complies with all legal requirements.
- (4) A Driver Improvement License will not be issued for a location where the distribution of or sale of alcoholic beverages has been approved.
- (5) If the office or a classroom location of a Driver Improvement Clinic is to be moved and/or relocated for any reason, the following requirements are necessary prior to this move.
 - (a) Notify the Department in writing of the change of the office and/or classroom.
 - (b) Inspection of the new office or classroom must be made by a representative of the Department and approved prior to any instruction of students.
- (6) Any school or classroom facility utilized for or approved for the purposes of a Driver Improvement Clinic shall comply with the requirements set forth by the Americans with Disabilities Act of 1990, before a permit is issued. The owner shall certify to the Department that the facility complies with the Act and its implementing regulations.
- (7)
 - (a) A licensed driver improvement clinic that provides instruction via distance learning methods in a classroom of a secondary school, technical school, college, or approved driver improvement clinic classroom shall not be required to obtain a separate license for the use of that classroom; provided that prior notice must be given to, and approval granted by, the Department prior to the use of such a facility. Such approval will be considered only if requested by a licensed Driver Improvement Clinic that has held a license in good standing for the preceding five years prior to application.
 - (b) A classroom used for distance learning must be staffed by a licensed instructor or proctor at all times during the provision of instruction. The clinic must ensure that adequate equipment is provided at the remote site to enable students to view and hear the instructor and to enable the instructor to hear comments and questions from the students at the remote site. In the event the equipment ceases to function at any time, no further instruction may be provided at the remote site unless a licensed instructor is present to continue instruction in person. Certificates of completion may be issued only by a licensed instructor.

- (8) If a licensed Driver Improvement Clinic closes a facility, the clinic must furnish 30 days' advance written notice of the closing to the Department. A copy of said notice shall be posted on the exterior door of the facility so as to be visible to the clinic's customers.

Any license for that facility must be surrendered to the Department. Unused Certificates of Completion must be transferred to another clinic facility or returned to the Department. Class rosters must be transferred to another clinic facility or submitted to the Department prior to closure of the facility.

- (9) (a) The Department may develop policies and procedures for the delivery of remote classroom instruction for certified Driver Improvement Clinics in the event of a public health state of emergency, natural disaster, or man-made disaster.
- (b) A certified Driver Improvement Clinic may utilize remote services for classroom instruction. Such instruction and training may be done via web services, such as, but not limited to, Skype, Zoom, or Web Ex. Instruction must be synchronous instruction allowing for real-time instruction and interaction in a specific virtual place, through a specific online medium, at a specific time.
- (c) Schools utilizing such methods must notify and obtain prior approval from the Department and keep rosters and required documents of students enrolled in these programs pursuant to existing rules and regulations of the Department. Such programs shall continue to be subject to all monitoring, training, and auditing pursuant to existing rules and regulations of the Department.

Authority: O.C.G.A. §§ 40-5-4, 40-5-83.

SYNOPSIS

STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE

The purpose of this amendment is to update the language to permit DDS to allow remote learning for certified Driver Improvement Clinics in instances of general emergencies.

DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES

This proposed amendment permits DDS to develop and authorize policies and procedures for the delivery of remote classroom instruction for certified Driver Improvement Clinics in the event of a public health state of emergency, natural disaster, or man-made disaster. Schools must notify and obtain prior approval from DDS to utilize approved methods and shall continue to be subject to all monitoring, training, and auditing pursuant to existing rules and regulations of the Department.